

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PEPTIDES WHICH INHIBIT ANGIOGENESIS, CELL MIGRATION,  
CELL INVASION AND CELL PROLIFERATION, COMPOSITIONS  
AND USES THEREOF**

the specification of which:

(check one)

☐ is attached hereto;

☒ was filed as United States Application Serial No. 10/723,144 on November 25, 2003, and was amended on \_\_\_\_ (if applicable);

☐ was filed as PCT International Application No. \_\_\_\_ on \_\_\_\_ and was amended under PCT Article 19 or Article 34 on \_\_\_\_ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim foreign priority benefits under 35 U.S.C. §119 and/or §365 of any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America listed below; I have also identified below any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/429,174  
(Application Number)

25, November, 2002  
(Filing Date) (day, month, year)

60/475,539  
(Application Number)

02, June, 2003  
(Filing Date) (day, month, year)

I hereby claim the benefit under 35 U.S.C. §120 and/or §365 of any United States application(s) or of any international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application(s) or PCT International Applications Designating the U.S. for benefit under 35 U.S.C. §120

U.S. APPLICATIONS			STATUS <i>(check one)</i>		
U.S. APPLICATION NO.	U.S. FILING DATE (day, month, year)		Pending	Patented	Abandoned
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE (day, month, year)	U.S. APPLICATION NOS. (if any)			
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first inventor:** Amy L. Allan

Inventor's signature Amy L. Allan Date 04/07/04

Residence: 542 San Diego Drive, Encinitas, CA 92024

Citizen of: United States of America

Post Office Address: Same as above.

**Full name of second inventor:** Fernando Donate

Inventor's signature Fernando Donate Date 4/7/04

Residence: 10744 Portobelo Drive, San Diego, California 92124

Citizen of: Spain

Post Office Address: Same as above.

**Full name of third inventor:** Stephanie A. Hopkins

Inventor's signature Stephanie Hopkins Date 4/7/04

Residence: 12716 Tustin St., Poway, CA 92064

Citizen of: United States

Post Office Address: Same as above.

**Full name of fourth inventor:** Patricia L. Gladstone

Inventor's signature Patricia L. Gladstone Date 04/07/04

Residence: 9242 Pebblestone Lane, San Diego, CA 92126

Citizen of: Canada

Post Office Address: Same as above.

**Full name of fifth inventor:** Andrew Mazar

Inventor's signature Andrew Mazar Date 4/7/04

Residence: 10816 Vereda Sol Del Dios, San Diego, CA 92130

Citizen of: United States of America

Post Office Address: Same as above.

**Full name of sixth inventor:** Sean M. O'Hare

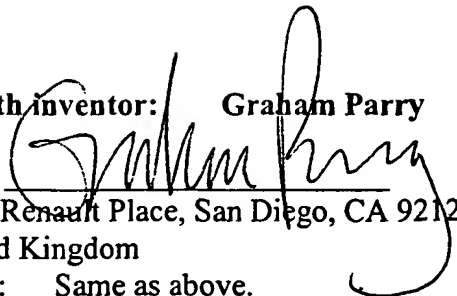
Inventor's signature Sean M. O'Hare Date 4/7/04

Residence: 812 Tourmaline Drive #8, San Diego, CA 92109

Citizen of: United States of America

Post Office Address: Same as above.

Full name of seventh inventor: **Graham Parry**

Inventor's signature 


Date 4/7/04

Residence: 2954 Renault Place, San Diego, CA 92122

Citizen of: United Kingdom

Post Office Address: Same as above.

Full name of eighth inventor: **Marian Plunkett**

Inventor's signature 

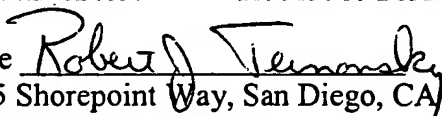
Date 4-7-04

Residence: 11310 Swan Canyon Road, San Diego, CA 92131

Citizen of: United States

Post Office Address: Same as above.

Full name of ninth inventor: **Robert J. Ternansky**

Inventor's signature 

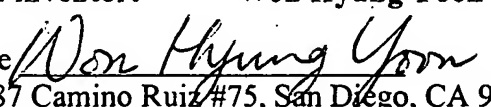
Date 4-7-04

Residence: 4125 Shorepoint Way, San Diego, CA 92130

Citizen of: United States of America

Post Office Address: Same as above.

Full name of tenth inventor: **Won Hyung Yoon**

Inventor's signature 

Date 4/7/04

Residence: 11187 Camino Ruiz #75, San Diego, CA 92126

Citizen of: Republic of South Korea

Post Office Address: Same as above.

Attorney Docket No: ATTE-002/02US

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Amy L. ALLAN *et al.*

Serial No.: 10/723,144 Examiner: Not yet assigned.

Filed: November 25, 2003 Art Unit: Not yet assigned.

For: **PEPTIDES WHICH INHIBIT ANGIOGENESIS, CELL MIGRATION,  
CELL INVASION AND CELL PROLIFERATION, COMPOSITIONS AND  
USES THEREOF**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**POWER BY ASSIGNEE  
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

- ☒ [X] An assignment document, a copy of which is enclosed herewith;
- ☐ [] An assignment previously recorded in the U.S. Patent and Trademark Office at Reel \_\_, Frame \_\_.

Please direct all telephone calls and correspondence to CUSTOMER NUMBER:  
**23419:**

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The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: 4/7/04

Signature: Robert J. Ternansky  
Name: Robert J. Ternansky  
Title: Vice President  
Company: Attenuon LLC